

### **REMARKS/ARGUMENTS**

The Applicant thanks the Examiner for the Advisory Action dated April 25, 2007.

Amended claims are filed herewith, which clarify the definition of the tags and their superimposed relationship with the graphic information.

The Applicant maintains that these amended claims in combination with the Applicant's previously filed arguments overcome the prior art rejections.

For the Examiner's convenience, the Applicant's previously filed arguments are reproduced below.

#### **Claim Rejections - 35 USC § 103(a)**

At page 4 of the Office Action, the Examiner maintains that Johnson teaches "a plurality of tags". This is clearly not the case, because Johnson has only one tag on his form.

At page 4 of the Office Action, the Examiner maintains that the graphic information is superimposed with the tags. This is clearly not the case, because Johnson's tag is separated and spaced apart from other information on the form.

Furthermore, the Applicant notes that the sole motivation, as argued by the Examiner, for combining the teachings of the three cited documents is "providing ease for the user". This vague statement is not, in the Applicant's submission, sufficient to establish a *prima facie* case of obviousness.

With reference to MPEP 2143.01, the Examiner is requested to consider the findings of *In re Lee*, 277 F.3d 1338, 1342-44, 61 USPQ2d 1430, 1433-34 (Fed. Cir. 2002). That Decision discusses the importance of relying on objective evidence and making specific factual findings with respect to the motivation to combine references.

In the present case, the Examiner has presented no objective evidence and made no specific factual findings to support his assertion that there was motivation to combine the cited reference. A mere allegation of "providing ease for the user" falls well short of the criteria required to support a *prima facie* case of obviousness, with respect to the motivation to combine references.

The Examiner is invited to either withdraw his rejection or to provide specific objective evidence as to why the skilled person would *a priori* have considered combining Ikeda, Johnson and Sekendur.